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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DAVID RASMUSSEN, an individual, on  
behalf of himself and all others similarly  
situated

Case No.: 5:19-cv-04596-BLF

Plaintiffs,  
v.  
TESLA, INC., a Delaware corporation.

**STIPULATION AND [PROPOSED] ORDER TO  
CONTINUE STAY PENDING MEDIATION**

Defendant.

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STIPULATION AND [PROPOSED] ORDER TO CONTINUE STAY PENDING MEDIATION

CASE NO.: 5:19-cv-04596-BLF

1 Plaintiff David Rasmussen (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), through their  
2 undersigned counsel, hereby stipulate as follows:

3 WHEREAS, on August 7, 2019, Plaintiff filed Class Action Complaint;

4 WHEREAS, the parties had a mediation on July 24, 2020 with the Hon. Daniel Weinstein and  
5 Cathy Yanni of JAMS, Inc.;

6 WHEREAS, this Court previously continued the stay of this litigation to facilitate the parties’  
7 continuing discussions (ECF No. 35);

8 WHEREAS, the parties are continuing their discussions in good faith and require additional time  
9 to complete them;

10 WHEREAS, the parties desire to preserve the status quo and prevent the parties and the Court  
11 from unnecessarily expending resources pending mediation;

12 THEREFORE, subject to the approval of the Court, the parties agree and stipulate as  
13 follows: The parties will report to the Court with an update on January 31, 2020. This matter  
14 shall be stayed until that date, and all other case deadlines shall be vacated.

15  
16 IT IS SO STIPULATED.

17 Dated: December 15, 2020 Respectfully submitted,

19 By: /s/ Sean P. Gates

20 Sean P. Gates  
CHARIS LEX P.C.  
21 Attorneys for Defendant  
22 TESLA, INC.

23 Dated: December 15, 2020 Respectfully submitted,

24 By: /s/ Nimish R. Desai

25 Nimish R. Desai  
LIEFF CABRASER HEIMANN &  
26 BERNSTEIN, LLP  
27 Attorneys for Plaintiff  
28 DAVID RASMUSSEN

## ECF ATTESTATION

I, Sean Gates, am the ECF User whose ID and password are being used to file the foregoing STIPULATION AND [PROPOSED] ORDER TO STAY CASE PENDING MEDIATION. In compliance with Local Rule 5-1, I hereby attest that Nimish Desai concurred in this filing.

Dated: December 15, 2020

By: /s/ Sean P. Gates

Sean P. Gates

CHARIS LEX P.C.

Attorneys for Defendant

## TESLA, INC.

## [PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the parties will report to the Court with an update on January 31, 2020. This matter shall be stayed until that date, and all other case deadlines shall be vacated.

Dated:

Honorable Beth L. Freeman  
Judge of the United States District Court